

Ronald Harris JID# 1758647 BKG# 2018007

Name and Prisoner/Booking Number

Fresno County Jail

Place of Confinement

PO BOX 872

Mailing Address

Fresno, Ca. 93772

City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

FILED

JAN 14 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Ronald Harris
(Full Name of Plaintiff) Plaintiff,

v.

CASE NO. 1:21-cv-00052-GSA (PC)
(To be supplied by the Clerk)

(1) Fresno County Sheriff Department
(Full Name of Defendant)

(2) Deputy Bush

(3) Deputy O'Leary

(4) Deputy Vargas

Defendant(s).

CIVIL RIGHTS COMPLAINT
BY A PRISONER

- ☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

☒ Check if there are additional Defendants and attach page 1-A listing them.

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☐ Other:

RECEIVED

2. Institution/city where violation occurred: Sanger Ca.

JAN 14 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

^B
B. Defendants

5. Bush
Deputy Sheriff

Fresno County Sheriff

6. Fresno County Sheriff Department

7.

B. DEFENDANTS

1. Name of first Defendant: JOSHUA CONTRILL. The first Defendant is employed as:
Deputy Sheriff at Fresno County Sheriff.
(Position and Title) (Institution)
2. Name of second Defendant: Priscilla Heshmaty. The second Defendant is employed as:
Deputy Sheriff at Fresno County Sheriff.
(Position and Title) (Institution)
3. Name of third Defendant: ASHLEY VARGAS. The third Defendant is employed as:
Deputy Sheriff at Fresno County Sheriff.
(Position and Title) (Institution)
4. Name of fourth Defendant: O'Leary. The fourth Defendant is employed as:
Deputy Sheriff at Fresno County Sheriff.
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: Excessive Force by Fresno County Sheriff

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

It was stated by a sheriff supervisor to use non lethal but they used lethal rounds. There 2 children involved which put them at risk when they used the lethal rounds. Officers removed one child and left the other behind while shots were being fired. I was shot in the head by a .45 caliber then shot in the shoulder by a bean bag after 6 live rounds were fired, then I was tased in the back then placed under arrest.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

I was shot in the head and shot in the shoulder by a Bean Bag and Tased in the Back.

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☒ No
- Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM II

1. State the constitutional or other federal civil right that was violated: A threat to the safety of a child.

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input checked="" type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

When they removed one of the children they left the child behind which could have gotten him killed. They were told about the children and to use no lethal on Defendant. Instead they used Lethal Rounds first then they used non lethal. all this was going on with my 3 year old son next to my leg.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Emotional stress Dd to my son almost getting Injured.

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☒ No
- Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM III

1. State the constitutional or other federal civil right that was violated: Threat to safety of an Elderly couple

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input checked="" type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

Deputies fired numerous rounds that struck an elderly couple's residence, a bullet was found in the bathroom of the residence of the couple.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

I was stressed about my parents possibly being killed or injured by police.

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☒ No
- Did you submit a request for administrative relief on Claim III? ☐ Yes ☒ No
- Did you appeal your request for relief on Claim III to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. there is none

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

I am seeking 1,000,000 dollars in damages.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1-7-21
DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.